

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-F-05-056 OWW
)	
)	ORDER DENYING PETITIONER'S
)	REQUEST FOR APPOINTMENT OF
Plaintiff/)	COUNSEL TO APPLY FOR
Respondent,)	PRESIDENTIAL PARDON
)	
vs.)	
)	
KEN ANDREW WORKMAN,)	
)	
)	
Defendant/)	
Petitioner.)	
)	
)	

On March 7, 2008, Petitioner moved for appointment of counsel to represent him for the purpose of applying for a presidential pardon.

Petitioner cites no authority supporting the appointment of counsel for such a purpose and the Court can find none. Statutory and case authority establishes that Petitioner is not entitled to appointed counsel for the purpose of applying for a presidential pardon. 18 U.S.C. § 3006A(c) provides: "A person for whom counsel is appointed shall be represented at every stage

1 of the proceedings from his initial appearance before the United
2 States magistrate judge or the court through appeal, including
3 ancillary matters appropriate to the proceedings. In
4 *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987), the Supreme
5 Court held that the right to counsel "extends to the first appeal
6 of right, and no further."

7 Petitioner's motion for appointment of counsel is DENIED.

8 IT IS SO ORDERED.

9 Dated: March 11, 2008

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26